

AMENDMENTS TO THE CLAIMS

The following claims replace all prior versions and listings of claims in the application:

1. (Previously Presented) A method of discriminating voice, data, and facsimile calls communicated through a voice-over-packet network, comprising the steps of:

identifying the existence of an answer signal (ANS) or a modified answer signal (ANSam) communicated between an answering modem and an originating modem over said packet network.
2. (Previously Presented) The method of claim 1, further comprising the steps of:

generating an ANS tone according to the protocols of said originating modem, using an originating-side gateway, when said existence of said ANS signal is identified by said answering-side gateway;

generating an ANSam tone according to the protocols of said originating modem, using said originating-side gateway, when said existence of said ANSam signal is identified by said answering-side gateway.
3. (Currently Amended) The method of claim 2, further comprising the steps of:

enabling a V.8 call menu signal (CM) detector after said existence of either of

said ANS or ANSam signals is identified by said originating gateway;

transitioning said originating gateway from a voice mode of operation to a G.711 pass-through mode of operation after said existence of either of said ANS or ANSam signals is identified by said originating gateway;

if the originating gateway detects detecting a V.8 CM signal transmitted by the originating gateway at the originating gateway and suppressing its transmission into the packet network prior to expiration of the ANS or ANSam signals, then:

identifying, by the originating gateway, the CM call function as either a data modem CM signal from the originating modem or a facsimile CM signal from the originating modem; and

if the CM call function is the data modem CM signal, transitioning the originating gateway into an LLMR processing state if the CM call function is the data modem CM signal, and if the CM call function is the facsimile CM signal, preparing the originating modem to support a V.34 facsimile protocol and transitioning the originating gateway to support the V.34 facsimile protocol in one of the G.711 pass-through mode and a V.34 facsimile relay mode

~~(a) facsimile and modifying channel processing to either FoIP processing mode of operation or remain in G.711 pass-through mode of operation or~~

~~————— (b) data modem and modifying channel processing to MoIP processing mode of operation.~~

4. (Currently Amended) The method of claim 3, further comprising the steps of:
- if the originating gateway detects a V.8 CM signal subsequent to expiration of the ANS or ANSam signals, then:
- identifying, by the originating gateway, the termination of the communication of said ANS or said ANSam signal;
- terminating said generation of said ANS or said ANSam tone when said termination of the communication of said ANS or said ANSam signal is identified; and
- disabling said CM detector when said termination of the communication of said ANS or said ANSam signal is identified; and
- transitioning said originating gateway to the V.34 facsimile relay processing mode of operation when a facsimile relay indication is received from said answering modem over said packet network.

5. (cancelled)

6. (Currently Amended) A method of discriminating voice, data, and facsimile calls communicated through a voice-over-packet network, comprising the steps of:
- identifying any one of an answer signal (ANS), a modified answer signal (ANSam), a V.8bis CRe/MRe tone, or V.21 flags communicated between an answering modem and an originating modem, using an answering-side gateway that is capable of

identifying each of said ANS signal, said ANSam signal, said V.8bis CRe/MRe tone, and said V.21 flags; and

with said answering-side gateway, converting said identified ANS signal, ANSam signal, V.8bis CRe/MRe tone, or V.21 flags to a format that may be conveyed over said packet network to said originating modem via an originating-side gateway;

suppressing a voice path to said packet network, using said answering gateway, when said V.8bis CRe/MRe tone is identified;

determining when said V.8bis CRe/MRe tone communication between said answering modem and said originating modem terminates;

re-establishing said voice path when said V.8bis CRe/MRe tone terminates;

suppressing said voice path to said packet network, using said answering gateway, when said ANS signal or said ANSam signal is detected;

transitioning said answering gateway to a G.711 pass-through mode of operation when said ANS signal or said ANSam signal is detected;

transitioning said answering gateway to an LLMR processing mode of operation when said LLMR indication is received from the originating-side gateway;

transitioning said answering gateway to a V.34 facsimile processing mode of operation when said V.34 facsimile relay indication is received from the originating-side gateway;

re-establishing said voice path to said packet network, using said answering

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gateway, when a termination of the communication of either of said ANS or ANSam
signals occurs; and

after executing the steps of claim 11, transitioning said answering gateway to a
facsimile relay processing mode of operation when said V.21 flags are identified.

7-12 (cancelled)